

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**RUBY TOM,**

**Defendant.**

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**8:06CR198**

**ORDER**

Before the court is defendant's Motion to Withdraw Motion and Brief [33]. The motion is granted and the Motion to Transfer [28] is deemed withdrawn. The evidentiary hearing scheduled for February 21, 2007 is cancelled.

**IT IS SO ORDERED.**

DATED this 21<sup>st</sup> day of February, 2007.

BY THE COURT:

s/ F.A. Gossett  
United States Magistrate Judge